



City of El Paso – City Plan Commission Staff Report

Case No: PZST16-00003
Application Type: Special Permit
CPC Hearing Date: April 7, 2016
Staff Planner: Michael McElroy, 915-212-1612, mcelroyms@elpasotexas.gov
Location: 1201 Zaragoza
Legal Description: Portion of Lot 6, Block 2, Rough Riders Subdivision, City of El Paso, El Paso County, Texas
Acreage: 0.41 acres
Rep District: 7
Existing Zoning: C-3/sc (Commercial/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: N/A
Request: Infill Development / Side-Street Setback Reduction / Parking Reduction
Proposed Use: Retail
Property Owner: Martin & Maria Beltran
Representative: Joe Lozano

SURROUNDING ZONING AND LAND USE

North: C-4/c/sc (Commercial/condition/special contract) / Warehousing
South: C-3/sc (Commercial/special contract) / Retail
East: R-F (Ranch-Farm) / Blackie Chesher Park
West: C-4/c/sc (Commercial/condition/special contract) / Retail

PLAN EL PASO DESIGNATION: G-7, Industrial and/or Railyard (Mission Valley Planning Area)

NEAREST PARK: Blackie Chesher Park (104 feet)

NEAREST SCHOOL: Del Valle Elementary (4,129 feet)

NEIGHBORHOOD ASSOCIATIONS

Mission Valley Civic Association

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on March 23, 2016. The Planning Division received one letter in opposition to the special permit request.

APPLICATION DESCRIPTION

The request is for a special permit and detailed site plan approval for infill development to allow the construction of a 6,000 sq. ft. retail shopping center. A reduction in side-street yard setback from the required 10' to 5' is requested. Twenty parking spaces are required, and 19 are provided, a 5% parking reduction request. All ADA and bicycle parking requirements are being met. Access to the property is proposed from Zaragoza Road

Planning and Inspections Department – Planning Division Recommendation

The Planning Division recommends **approval** of the request, and acceptance of the detailed site development plan, as the proposed development is consistent with the surrounding commercial zoning. Additionally, the proposed development is compliant with the G-7 Industrial and/or Railyard land use designation in the Plan El Paso Mission Valley Planning Area. Further, the property meets the requirements of Sections 20.04.320, Special Permit Approvals, 20.10.280, Infill Development, and 20.04.150 Detailed Site Development Plan.

Plan El Paso-Future Land Use Map Designation

All applications for special permit shall demonstrate compliance with the following criteria:

G-7 – Industrial and/or Railyards: This sector applies to industrial parks, large free-standing industrial uses, refineries, non-military airfields, trucking terminals, and mines, all on large tracts in areas dominated by vehicles. This sector is essential to El Paso's economy; however, when an industrial use becomes obsolete, there can be potential for mixed use redevelopment of the site. This sector also includes the existing rail yards which could be redeveloped as mix-use communities if the rail yards were moved out of town.

The C-3 (Commercial) District is intended to permit provide goods or rendering services which are used in support of the community's trade and service establishments and serving multi-neighborhoods. Permits intensities designed to be compatible with each other and to provide for a wide range of types of commercial activity, including light automobile related uses.

ANALYSIS

To grant the special permit to allow for infill development, the applicant must comply with the following standards, per Section 20.10.280, Infill Development:

A. Location Criteria. An infill development may be designated for any property on which at least two of the following factors are present: the property is wholly or partially located within a designated tax increment financing district, or the property is wholly or partially located within a designated state or federal enterprise zone, or the property is wholly or partially located within an empowerment zone, or the property is wholly or partially located within a designated redevelopment area pursuant to Chapter 20.14 of this title, or the property is located within a designated historic district, or the property is within an older neighborhood of the city. An older neighborhood of the city defined as a legally recorded and developed subdivision for at least thirty years. Where an infill development is able to satisfy only one of the preceding factors, an applicant shall be allowed to make a formal request to city council to waive the two factor requirement prior to the submission of a special use permit application for the property. In all instances where a waiver is requested and authorized by city council, at least one location factor shall be met. For purposes of this section, any property with a historic designation shall be subject to the requirements and review provisions of Chapter 20.20 (Historic Designations) of this title, and shall not be waived by any provision of this section.

The property is in a state enterprise zone. Further, the property resides in the Rough Riders Subdivision, platted in 1976 (attachment 5), qualifying as an older neighborhood as defined in this section.

B. Use Regulations. Unless the ordinance designating the infill development provides otherwise, a proposed infill development may be approved for any use permitted in the base-zoning district in which it is located. However, the ordinance designating an infill development overlay may provide a list of principal uses, accessory uses and prohibited uses pursuant to a specific area plan adopted by the city council.

Retail is a permissible use in the C-3 (Commercial) zone district.

C. Setback Provisions. The side, front and rear setback requirements of the base-zoning district on which it is located may be reduced up to one hundred percent for an infill development as approved by city council. Buildings should be designed to relate to and take advantage of any existing site attributes, and shall be a consideration for reduction of the setback requirements.

Dimensional Standards Required and Proposed		
Dimension	Required	Proposed
Side Street Yard	10'	5'

D. Parking. The minimum parking requirements enumerated in Chapter 20.14 (Off-Street Parking and Loading Requirements) of this title shall be automatically reduced by fifty percent for any use within a designated infill development.

The proposed development requires 20 parking spaces and provides 19, a 5% parking reduction request.

E. Design. Unless otherwise approved by city council, any construction permitted pursuant to this section shall be designed to consistently relate to the massing and character of the surrounding properties. Consistency of massing and character shall be determined as shown on the site plan with typical elevations and proposed construction materials, that the proposed construction is compatible with the overall design features and building development of the neighborhood within which the proposed infill development is located. Design features include, but shall not be limited to, building height, architectural style, building materials, landscape and setbacks.

The proposed development is consistent with the G-7, Industrial and/or Railyard growth sector.

COMMENTS:

Planning and Inspections Department – Planning Division - Transportation

No objections.

Note: All existing / proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) within public rights-of-way shall be in compliance with current ADA/TAS rules and regulations and the current City of El Paso Design Standards for Construction.

Planning and Inspections Department - Land Development

Coordinate with TXDOT for drainage and access requirements

Approval of the site plans by CPC constitutes a determination that the applicant is in compliance with the minimum provisions. Applicant is responsible for the adequacy of such plans, insuring that stormwater is in compliance with ordinances, codes, DSC, and DDM. Failure to comply may require the applicant to seek re-approval of the site plans from CPC.

Planning and Inspections Department – Plan Review

No objections to requested special permit

Planning and Inspections Department - Landscaping

No objections to requested special permit

El Paso Fire Department

Recommend approval.

Texas Department of Transportation (TxDOT)

Applicant needs to submit their grading and drainage plans and access request to TxDOT for review and approval.

El Paso Water Utilities

EPWU does not object to this request.

Water:

1. There is an existing 8-inch diameter water main extending along the Northside of Castner Drive. This water main is available for service. EPWU records indicate one 1-1/2" service meter (Non-Active) on this property with 1201 Zaragoza Rd. as the service address.

2. There is an existing 42-inch diameter water transmission main along the Southside of Castner Dr. and Eastside of Zaragoza Rd. No direct service connections are allowed to this main as per the El Paso Water Utilities – Public Service Board Rules and Regulations.
3. Previous water pressure readings from fire hydrant # 4180 located at Northwest Corner of Zaragoza and Castner Dr., have yielded a static pressure of 72 pounds per square inch, a residual pressure of 64 pounds per square inch, and a discharge of 1,244 gallons per minute.

Sanitary Sewer:

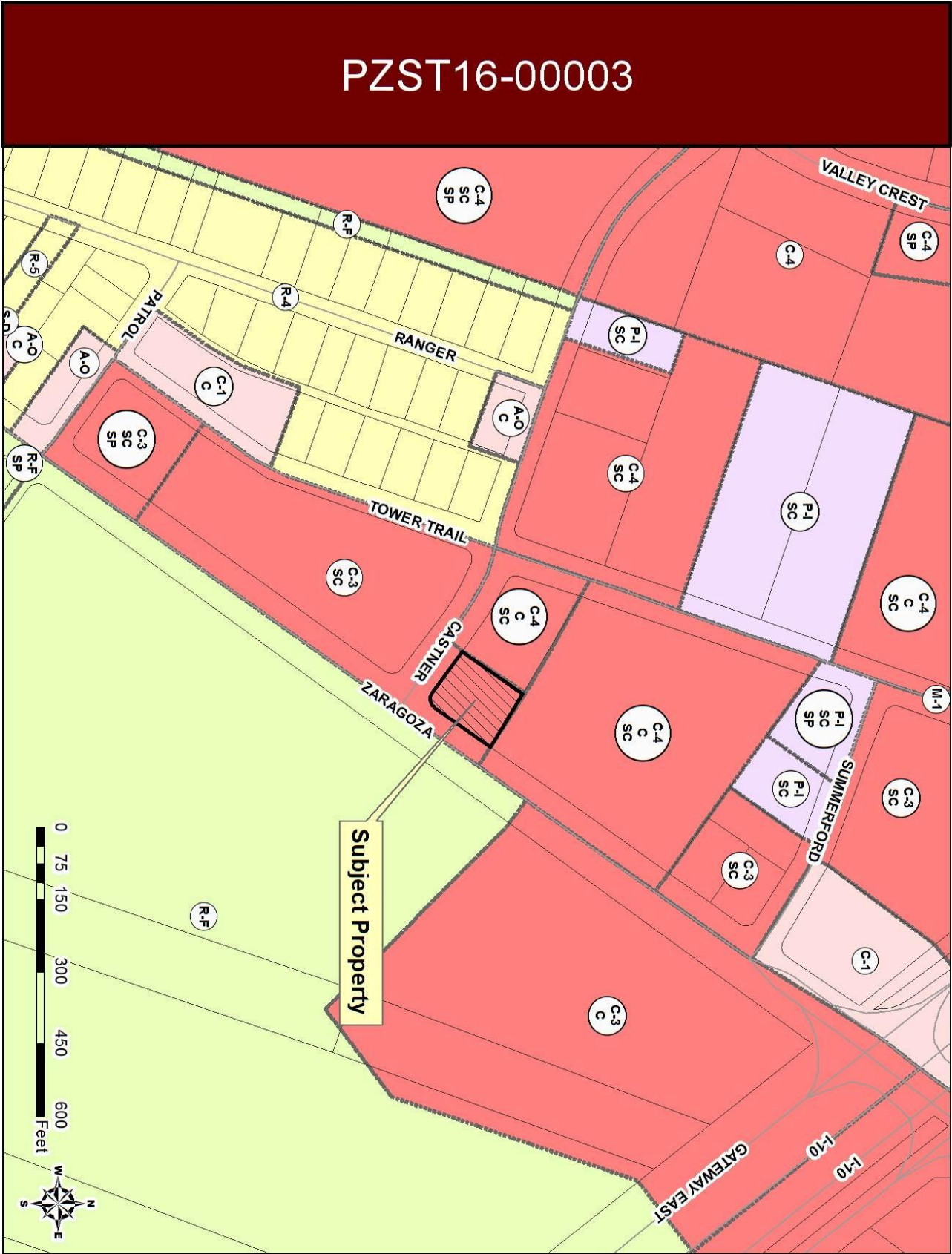
4. There is an existing 8-inch diameter sanitary sewer main extending along the south side of Castner Dr. This sanitary sewer main is available for service. This sewer main dead-ends approximately 325-feet east of the western right-of-way line of Tower Trail Ln.

General:

5. EPWU requires a new service application to provide service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments

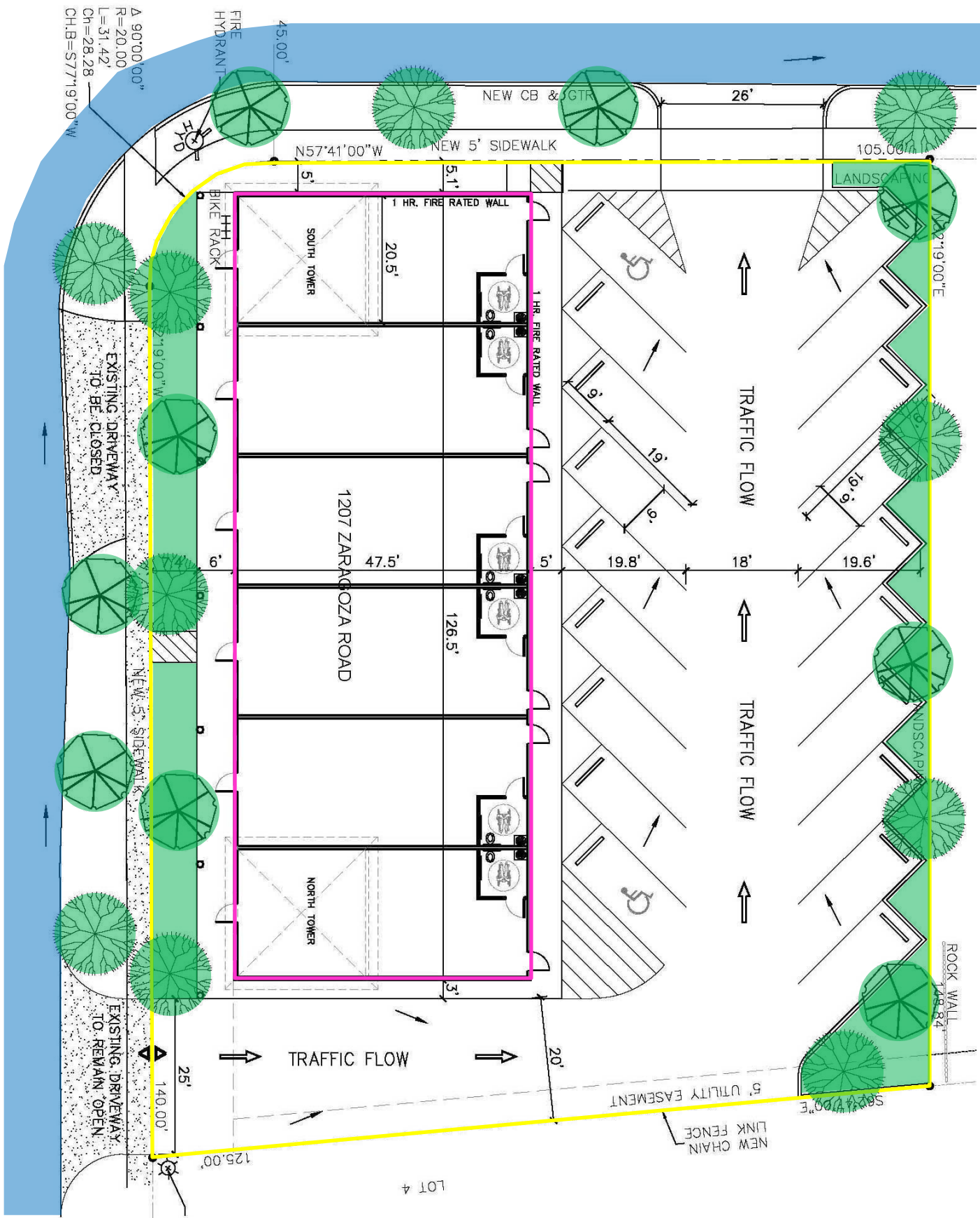
1. Zoning Map
2. Aerial Map
3. Detailed Site Development Plan
4. Elevations
5. Plat of Rough Riders Subdivision
6. Opposition Letter



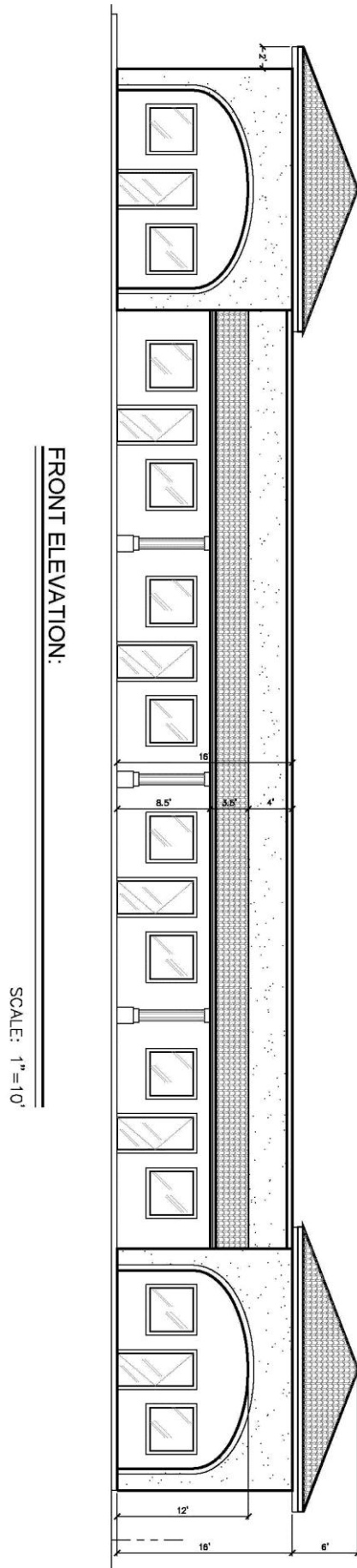
PZST16-00003



ATTACHMENT 3: DETAILED SITE DEVELOPMENT PLAN



ATTACHMENT 4: ELEVATIONS

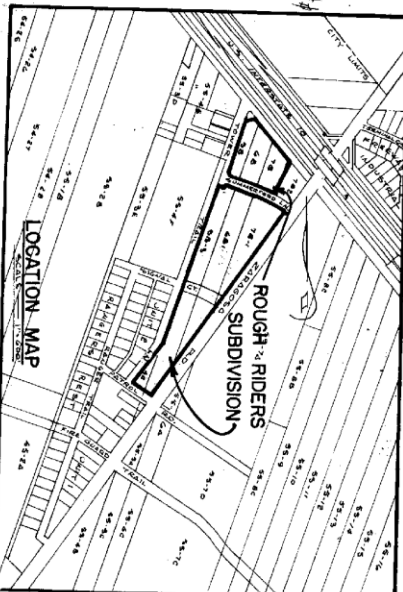


ROUGH RIDERS

ROUGH RIDERS SUBDIVISION

10 BEING ALL OF TRACTS 4C, 5B, 5B3, 6B, 6B1 & 7B1 and PORTION OF TRACTS 7B & 7B2, BLOCK 55, YSLETA GRANT
CONTAINING 16.936 Acres

NOTE:
All Corner rods are 20.00' and Tapered 20.00'
Unless otherwise noted.



ROUGH RIDERS

STATE OF TEXAS
COUNTY OF EL PASO

DEDICATION
Cowan K. Kessler, owner of this land, hereby presents this map and dedicates to the use of the public the streets, drives, alleys and utility easements as shown and designated, together with the right to lay, construct, maintain, repair, alter, improve, reconstruct, reconstruct and alter the same, and to the right to firm interfering trees and shrubs.

Cowan K. Kessler
Gwendolyn J. Kessler

ACKNOWLEDGEMENT
STATE OF TEXAS
COUNTY OF EL PASO

Before me, the undersigned authority, on this day personally appeared Cowan K. and Gwendolyn J. Kessler, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein stated.

CITY TAX OFFICE
EL PASO, TEXAS

Notary Public in and for
El Paso County, Texas
My Commission expires _____

CITY PLAN COMMISSION

This subdivision is hereby approved by the City Council of El Paso this _____ day of _____, 1976, A.D.

Accepted and adopted by the City Council of El Paso this _____ day of _____, 1976, A.D.

City Clerk _____ Mayor _____

Approved for filing this _____ day of _____, 1976, A.D.

City Engineer _____

Filed and recorded in the office of the County Clerk of El Paso County, Texas this _____ day of _____, 1976, A.D., in Volume _____ of the Public Records.

County Clerk _____ By Deputy _____

KISTENMACHER ENGINEERING CO., INC.
CIVIL ENGINEERS
8024 GARDEN STREET
EL PASO (959) 778-4476 TEXAS

ROUGH RIDERS

ATTACHMENT 6: OPPOSITION LETTER

From: [Cristian Lange](#)
To: [McElroy, Michael](#)
Subject: Case number PZST16-00003
Date: Saturday, March 26, 2016 2:19:59 PM

Case number PZST16-00003

I am the owner of the property located next to the site (8981 Castner), and I dont think it would be appropriate for a commercial retail site to be built there because it would create more traffic accidents on the zaragoza/castner intersection. MORE THAN 2 ACCIDENTS A WEEK OCCUR. If you decide to do so, we would really recommend to install a traffic light there to avoid those accidents.

Thank you!
Rafael Lange
(915)929-8903